J.F. 23-98.

G. R. S. IX-5]

Previous references.

1898-99

~~191~~.

(Courts)

File No. 6

Serial Nos. 1 — 8.

Later references.

No 102-23 (6-9)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 — 8

M. ~~Part~~ B for Sept, 1899.

SUBJECT.

Execution ~~in Upper~~ of warrants issued by British Courts under Act XIII of 1859.

Communicated

Judicial Dept

W D 88—GPB—50,000—24-7-16

(2)

Note:

A fee of Rs 3 has to be sent with each warrant issued, under Act XIII of 1859, by Madras & Coorg magtes for execution in Mysore. A second warrant is issued when the original warrant is either (1) unexecuted or (2) executed but the accused let out on bail, fails to appear according to the recognizance. Dewan's Proc. Cancd No. 1234-41 of 16/11/86 directs that "where any such (first) warrant remains unexecuted, a second or succeeding warrant for the arrest of the same person will be executed in Mysore free of charge." (sl 59) File 66-92

The Mysore Distt magte seems to have demanded a fresh fee when a second warrant was issued in Case (2), holding that the Proc. quoted above applied only to case (1). The Distt magte of the Nilgiris states that the custom has hitherto been to execute second warrants free of cost in either case. The Resident who was moved in the matter by him, now forwards the correspondence for the views of the Durbar as to whether it is not feasible to make the Proc. quoted to include cases in which second warrants are issued for reason (2) above.

Submd to Secretary

BR
8/11/1987

(12)

1st Asst Secty's letter No 5727 of 26 Oct 95

Regarding fee to be sent with warrants of arrest under XIII of 1859.

Under existing orders, a fresh fee ~~is not~~ for a new warrant is waived, only when the original warrant for which the fee had been paid remains unexecuted & not when the original warrant had been executed & the accused person discharged on his recognizance binding himself to appear before the Magr who issued the warrant, and when a ~~notice~~ the new warrant ~~of arrest~~ is issued ~~to~~ owing to failure of the accused person to appear in accce with his recognizance

The Magrs of Durham demand for a fresh fee for a new warrant of the latter kind is therefore in strict accordance with existing orders.

The Durham ~~Magr~~ however are of opinion that a fresh ~~warrant~~ fee may reasonably be waived for a warrant issued for the arrest of a ~~new~~ person, who fails to appear in accordance with the recognizance ~~of which he had previously been discharged under~~ ~~the~~ ~~warrant~~

Disobedience

on which he claimed his discharge upon
a former
arrest under a warrant for
a
which the prisoner has been
paid -

The Darbar then accordingly issued
instructions to the above effect
in Continuation of their orders
No. 1234/41 of 16 Nov 1856 &
a Copy of the same is forwarded for
the info. of the Resident -

8/6/99

Means issue this, despatch it complete by

Kuiz mala - 2 drafts (1) Proceedings &c)
letter to Residency, Secretariat-Lucknow

8/16/99

2 Drafts subd. Hee &.

9/6/99.

3

Subject

A copy of the Breach of Contract Act is put up as asked.

SN
14-9-99.

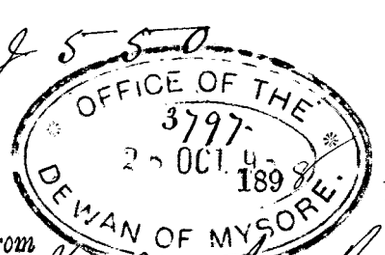
Supdt. Steno. 16/9

all the terms & conditions made between principal and agent under section 182 of the Indian Contract Act

2 - Subject

16/9/99

J 5 5 0



Pol 541

From The Y. A. Resident in Mysore

To

The Secretary to the Govt. of Mysore,
Rev. and Gen. Depts.

Dated 26.10.98

Despatched

Received 1-11-98

General No. 5727

No. 353-98

Enclosure No.

Forwarding for the views of the durbar copies of correspondence re an objection stated to have been raised by the Dr Supdt of Mysore to the Execution of a Second & non bailable warrant issued against an accused under Act XXII of 1859, except on payment of fresh fee.

References to be marked.

Put

Do

Chief Court Jan
taken upon the only
expression of opinion

10-11-98

No. 5727 Ex
355-98

(1)

FROM

THE FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

To

The Dewan of Mysore.

Dated Bangalore, 26 October 1898.

SIR,

I am directed to forward a copy of the correspondence cited on the margin regarding an objection stated to have been raised by the District Magistrate of Mysore to the execution of a second and non-bailable warrant issued against an accused person under Act XIII of 1859 except on payment of a fresh fee prescribed by the Durbar's Proceedings Camp No.1234-41 dated 16th November 1886.

Letter No.352 dated 6th October 1898 from the District Magistrate of Nilgiris.
Letter dated 17th September 1898 from the Acting Head Assistant Magistrate Nilgiris to the District Magistrate of Nilgiris.

1859

2. I am to request the favour of an expression of the Durbar's views as to whether it is not feasible to make the orders contained in the Proceedings above quoted, applicable to the cases referred to by the District Magistrate of the Nilgiris.

I have the honor to be

Sir,

Your most obedient servant

K S Erskine Captain,

First Assistant Resident.

(1/a)

Letter No: 352 dated 6-10-9

From A. Butterworth Esqr. District-
Magistrate, Nilgiries, to the Resident
in Mysore, Bangalore

I have the honor to forwar
copy of a letter No: 133 dated 17th Septem
1898 from the Head Assistant-
Magistrate of this District and to
request that you will do me the fa
vor of obtaining the views of the-
Mysore Durbar on the question
raised.

As the Mysore authoritie
now execute a second warran
when the 1st cannot be executed
it seems reasonable that they shou
also execute a second and non
bailable warrant when the accu
has failed to appear on the 1st and

nd bailable warrant.

This appears indeed
be the custom, but the District
Magistrate of Mysore has now raised
bjections as you will see from the
ead Assistant Magistrate's letter.

Letter dated 17th Sep-
tember 1898, from S. G. Roberts Esqr.
Lg. Head Assistant Magistrate —
Kilgeries, to the District Magistrate
Kilgeries.

Under the existing
arrangements between the Madras
nd Mysore Governments in
Connection with the execution of
warrants issued by the Magistrates
of this District under the Criminal
Breach of Contract Act, for the arrest
f persons residing within the Mysore
Territory a sum of Rs 3 is sent with

with each bailable warrant in the 1st instance, to cover the cost of esco and dieting charges of the accused persons. This sum is not, as a rule returned by the Magistrates of the Government in cases (1) where the warrants are returned unexecuted for reasons stated or (2) where the accused persons are let out on bail to appear before the Magistrate who issued the warrant. In the former cases, however, a second or succeeding warrant is executed free of cost. The District Magistrate of Mysore takes exception to the latter cases and demands fresh fees, when a non-bailable warrant is issued to secure the presence of the accused persons when they failed to appear according to their recognizance.

2. The District Magistrate appears to contend on the authority in the concluding portion of the

The Mysore Dewan's proceedings

No: Camp 1234-41 dated 16th November 1886 communicated with your endorsement No: 775 dated 13-8-1890 that when a warrant Remains unexecuted, a second or Succeeding warrant will be executed free of cost) that a second fee is necessary.

3. It will be observed from G.O. No: 2555 Judicial, dated 18-12-1878 communicated with your endorsement dated 24-5-1879 that this Sum of Rs3 is intended to cover the cost of escort and dieting charges of the accused persons but it cannot be urged that such charges or at any rate the whole of this Sum are incurred in cases where the accused persons are left on bail after arrest in the Mysore Territory.

4. The offence under the Criminal Breach of Contract Act is only bailable and it is therefore

therefore undesirable that nonba
lable warrants should be issued
in the first instance, in which ca
however the Mysore Magistrates will
have no other alternative but to
hand over the accused persons und
escort to the Frontier British police
for being produced before the Magistra
concerned.

5. The position taken up by
the Mysore District Magistrate
has led to a real hardship on the
planters and their maistries, who
have paid Rs 3 for the first warrant
and there are already complaints
from them to this effect.

6. I therefore request that
reference may be made to the
Mysore authorities at an early
date to withdraw the objection
raised by the Mysore District
Magistrate which appears to be a

new one and against the practice
hitherto obtaining.

Copy.

I. B. Clarke
Registrar.

GR

(42)

To,

The Registrar of the
Chief Court of
Mysore.

Dated 17 Novr 1898

No. 6192 / 1660

In forwarding copy of letter no 5727/355-98 of the 26th ultimo, from the 1st Asst to the Resident in Mysore and its enclosure in original, has the honor to request that he will be so good as to move the Judges of the Chief Court for favor of an early expression of their views in the matter of the payment of extra fee therein referred to for the execution of a second and non-bailable warrant issued under act XIII of 1859 by

by ~~the~~ magistrates in
the Dt of Nilgiris.
against accused ex
persons living with
in the limits of the ex Mysore
State.

B.O.
12/11/98
For Secy:

received
12/11/98

(General Serial No. 30)

843

658

OFFICE OF THE
4507
1898 24 NOV. 98

From The Registrar of the
Chief Court of Mysore

To The Secretary to the
Government of Mysore,
Jud & Rev: Dept.

Dated 23d

Despatched 23

Received November/98

General No. 3013 } 1898-99
No. 138

Enclosures No. Nil

Sub to Secretary

May a copy of this be sent to the Residency, with the Dinkar concurring with the opinion therein expressed BD. 12/12/98

I am afraid the remedy suggested is not a satisfactory one.

There is really no difference between (1) non-execution of a warrant owing to the absence of the accused person from his place and (2) execution of a warrant & its return with a bail bond or recognizance. The labor in both cases is the same. It is not therefore very clear why in the first case a record of warrant should be executed free of charge while in the latter a fee should be demanded. In my limited opinion the latter may be waived by the Durbar

Ruled 2 Rewards

Peon

Orders

13—12—98

Expresses the views of the Judges of this Court relative to the depositions in Mysore of witnesses or other matters issued by British Courts under Act XIII of 1859

See orders on a separate Sheet by 8.6.99

Jud
24.11.98

References put up.

BD 29-11-98.

Subd for orders.
Rm
30/11

Central Jail Press, Bangalore.—5-7-98.—2,000

Bangalore, 23d November 1898

No 3013
138

(4)

From

The Registrar of the
Chief Court of Mysore.

To.

The Secretary to the
Government of Mysore
General and Revenue Deptts.

Sir,

With reference to your letter no. 6192/660 dated 17th instant, forwarding copy of letter no. 5727/355-98 of the 26th ultimo, from the 1st Assistant to the Resident in Mysore, and its enclosures, and requesting the views of the Judges of this Court in the matter of the payment of extra fee for execution of a second and non-bailable warrant issued under Act XIII of 1859 by Magistrates in the Nilgiri District against accused persons living

within

within the limits of the Mysore Province, I am directed to point out that the fee payable under the agreement embodied in the Government Order of 18th December 1878, to which the Head Assistant Magistrate of the Nilgiris refers, was Rs. 7 for every warrant under Act XIII of 1859. The amount was reduced to Rs. 3 in 1884. Vide — Notification of the Mysore Government dated 26th March 1884, No. 342, which also provides that "second and succeeding warrants will be executed free of all charge in cases in which the first warrants remain unexecuted."

By Dewan's Proceedings dated 16th November 1886, No. 1234/41, the privilege of free warrants was extended also to warrants issued under Section 2 of Act XIII of 1859, all other warrants under the Act being made chargeable with

with a fee of Rs. 3 for each person whose arrest and delivery is required. Here again it is provided that a "second or succeeding warrant is to be executed free of charge only in cases in which the previous warrant remains unexe-cuted."

The Magistrate of Mysore is therefore within the rule when he requires a second fee for the execution of a subsequent warrant for the arrest of a person, the former warrant against whom was executed.

The remedy for the "hardship to the planters," urged in paragraph 5 of the Head Assistant Magistrate's letter, appears to be in his own hands, as Section I of the Act provides for issue of a summons or warrant. If a summons is issued in the first instance, and warrants only in

in cases in which they are found to be necessary in consequence of a summons not being obeyed, such warrants need not be made bailable; and in such cases, no further fee will be necessary even if subsequent warrants have to be issued owing to non execution of one or more previous warrants.

I have the honor to be,
Sir,
Your most obedient servant,

Registrar.

814
Issued on 1-12-98

(5)

To,

The Registrar of the
Chief Court of Mysore

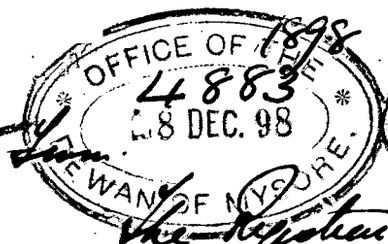
Dated 1st Decr - ~~November~~ 1898
No 6868
J 727

In acknowledging the receipt of his letter no 3013/138 of the 23rd inst he has the honor to request that he will be good enough as to return the original enclosures forwarded with this office letter no 6192/J660 of the 14th inst as soon as possible.

Issue at once
BR

B. O.
BR
30/10/98
for Secy:

Credit
Debit
30/11/98



1898

6

706

85

From

The Registrar of the
Chief Court of Mysore

To

The Secretary to the
Government of Mysore
Genl & Rev: Depts.

No 3260/147 dated December/98
sir,

Returns the enclosure received
with the Secretary's Office letter
No 6693/1660 dated 17 Decbr 98

Genl
8.12.98
References put up.
10/2/98.
Lubd.

ma
12/12

No 3260/147 Gen 1

Bangalore, 5th December 1898.

(16)

From

The Registrar of the
Chief Court of Mysore,
Bangalore.

To

The Secretary to the
Government of Mysore
General & Revenue Departments.

Sir,

With reference to your docket No. 6868/J.727 dated 1st Instant, I have the honor to return, herewith, the enclosure received with your office letter No. 6193/J.660 of the 17th Ultimo.

I have the honor to be,

Sir,
Your most obedient servant;

[signature]
Registrar.

Cww

Read - (12)

S.R.O. Rep. W. 1234-41

& the 16th Nov-/86

(Print in extenso)

13996-14004

Order. 9707 dated 12/8/99

Under the fore-

going order, a fresh

fee for a new warrant

issued under Sch.

XIII. of 1859 is

waived, only when

the original warrant

for which the fee

had been paid

remains unexecuted

and not when the
original warrant
had been executed
and the accused
person enlarged on
his recognizance
binding himself to
appear before the
magistrate who issued the
original warrant,
and when the new warrant
is issued, or some other
breach of the said
recognizance the
Court however are
of opinion that a
fresh fee may reason-

ably be waived also
for a warrant of the
latter kind and accord-
ingly direct that the
following clause be
inserted after the
word unpaid in
the last but one line
of para 2 of the order
above referred to:—
"When a bail
bond executed by
a surety for the accused
person or his bond
and such accused
person fails to
appear in accordance
therewith"

Para 2 of the Order
is revised as above
will read as follows:—

× × × ×

"2. Warrants issued
by the Madras
by Presidency or Coorg
under Act XIII of
1859, other than under
sec: 2 of that Act
must as heretofore
be accompanied by
a fee of Rs 3/- for
each person whose
arrest & delivery
is required, for defraying
all charges
incurred in the

purpose. Where any such warrant remains unexecuted or when it has been cancelled by enlarging the accused on his bond, and such accd. person fails to appear as accord-ance herewith, a second or succeeding warrant for the arrest of the same person may be executed in Mysore free of charge."

Print d. 6-99

Press copy prepared 5/6/99

Secy.

To, The Regr.-Cum-Chief Controller reference this No. 3013/138 dt 23rd Nov-/98.

All District Mags. for information guidance & compliance & all Mags. subordinate to them.

(127)

READ—

Government Proceedings No. 1234-41, dated the 16th November 1886.

READ THE FOLLOWING PAPERS:—

From the Secretary to the Chief Commissioner of Mysore, To the Chief Secretary to the Government of Madras, Ootacamund, No. 5825—J. 35, dated 28th October 1878.

In annexing copy of a letter addressed to this office by the District Magistrate, Nilgiris, on the 29th August last (which should more conveniently and regularly have been sent to the Madras Government), I am desired to communicate the views of the Chief Commissioner on the several points on which information is sought by that officer, in order that the Government of Madras may be in a position to issue the necessary instructions to the Magistrates and other officers concerned in the Madras Presidency.

2. In answer to the first enquiry, *viz.*, whether summonses and warrants issued by Magistrates in the Madras districts for execution in Mysore may be sent direct to Magistrates and Police officers by post, I am to state that all such processes may be sent in the manner stated, direct to the Magistrates of districts or taluks in Mysore accompanied by postage labels sufficient to cover the cost of return postage.

3. Warrants, other than those issued under the provisions of Act XIII of 1859, will be executed by Police officers in Mysore, and the persons arrested under such warrants will be conveyed by them to the frontier and handed over to the nearest Police-station within British Territory. The Chief Commissioner assumes that arrangements will be made to receive all prisoners so delivered. In these cases the Mysore State will bear the cost of batta to the prisoners, and of the guards required to escort them to the frontier.

4. In regard to the execution of warrants issued under Act XIII of 1859, special provision will be necessary for the removal of prisoners, and in order to meet the cost of batta and escort thus involved, the Chief Commissioner proposes that each warrant should be accompanied by a remittance of Rs. 7 (seven). The actual cost incurred may be more or less than this sum, which as representing however a fair average might be suitably fixed for all cases alike, so as to obviate the necessity of adjustment on account. I am desired to ask whether His Grace the Governor in Council is prepared to accept this arrangement in order that instructions in accordance therewith may be issued to the Magistrates in this Province.

From the Acting Chief Secretary to the Government of Madras, To the Chief Commissioner of Mysore, Judicial Department—Processes—No. 2555—A., 18th December 1878.

I am directed by His Grace the Governor in Council to acknowledge receipt of Major Clarke's letter, dated 28th October 1878, No. 5825—35, intimating the arrangements made for executing in Mysore warrants and other process issued by Magistrates of Madras districts, and to convey the thanks of this Government for your good offices.

2. The arrangements made by you are quite satisfactory to this Government, and the necessary instructions have been issued to the officers concerned.

Order No. 8761—Judl. 12, dated Bangalore, 21st January 1879.

The arrangements proposed by the Chief Commissioner for the execution in Mysore of warrants and other processes issued by Magistrates in the Madras Presidency having been accepted by the Madras Government, the following instructions are issued for information and guidance:—

I. Warrants and other processes issued by Magistrates of Madras districts for execution in this Province, and addressed by post to the Magistrates of districts or taluks in Mysore, will be accompanied by postage labels to the amount sufficient to cover the cost of return postage. When unaccompanied by any remittance, the warrant or summons will, after being duly executed, be returned by post "Bearing."

II. Warrants, other than those issued under the provisions of Act XIII of 1859, will be executed by Police officers in Mysore, and the persons arrested under such warrant will be conveyed by them to the frontier and handed over to the nearest Police-station within British Territory, where arrangements will be made to receive all prisoners so delivered. In these cases, the cost of batta to the prisoners and of the guards required to escort them to the frontier will be borne by the Mysore State.

III. Warrants issued by Magistrates in the Madras Presidency under Act XIII of 1859 must be accompanied by a remittance of Rs. 7 for each person whose arrest and delivery is required, and in consideration of such payment, all charges incurred within the Province in providing food and escort for prisoners will be defrayed by the Mysore State.

2. Deputy Commissioners of Districts will communicate copies of this order to all Magistrates and Police officers within their jurisdiction.

Order No. 7291—J. 149, dated Bangalore, 12th January 1880.

READ Letter No. 3071—370, dated 5th December 1879, from the Judicial Commissioner, forwarding letter No. 151—110, dated 28th November last, and requesting the Chief Commissioner's decision on the question raised, whether or not a second fee should be paid for the execution in Mysore of warrants issued by the Coorg Courts under Section 2 of Act XIII of 1859.

ORDER.—The arrangements made in Chief Commissioner's Order No. 8761—J. 12, dated 21st January 1879, relative to the execution of criminal processes issued by Courts in the Madras Presidency and Mysore free of cost, are hereby made applicable to processes issued by Criminal Courts in Coorg, and shall apply to warrants or other processes issued under Section 2, Act XIII of 1859, for the apprehension of accused parties who may have failed to comply with an order of a Magistrate issued under that section and Act

---

Notification No. 342, dated Bangalore, 26th March 1884.

In supersession of the existing orders on the subject, the Dewan directs that a fee of Rs. 3 be charged for executing in Mysore the first warrant that may be issued from Coorg under the Breach of Contract Act.

The second and succeeding warrants will be executed free of all charge in cases in which the first warrants remain unexecuted.

CAMP No. 1234—41, DATED MYSORE, 16TH NOVEMBER 1886.

ORDER THEREON.—The attention of all Magistrates in Mysore will be drawn to the orders contained in the late Chief Commissioner's Proceedings No. 7291—J. 149, dated 12th January 1880. These orders are still in force, and under them "warrants or other "processes issued under Section 2 of Act XIII of 1859 for the apprehension of accused "parties who may have failed to comply with an order of a Magistrate issued under that "section and Act" must be executed in Mysore free of cost in accordance with arrangements made in late Chief Commissioner's Order No. 8761—J. 12, dated 21st January 1879, relative to the execution of criminal processes issued by Courts in the Madras presidency, and afterwards extended to processes issued by Courts in Coorg by Order No. 7291—J. 149, dated 12th January 1880.

2. Warrants issued by Magistrates in the Madras Presidency or Coorg under Act XIII of 1859, *other than under Section 2 of that Act,* must as heretofore be accompanied by a fee of Rs. 3 for each person whose arrest and delivery is required, for defraying all charges incurred within Mysore. Where any such warrant remains unexecuted, a second or succeeding warrant for the arrest of the same person will be executed in Mysore free of charge.

Judicial, dated 12th June 1899.

No. 13996-14004—J. 1707, DATED BANGALORE, 12TH JUNE 1899.

ORDER THEREON.—Under the foregoing order, a fresh fee for a new warrant issued under Act XIII of 1859 is waived, *only* when the original warrant for which the fee had been paid remains *unexecuted*, and *not* when the original warrant had been executed and the accused person enlarged on his recognizance binding himself to appear before the Magistrate who issued the original warrant and when the new warrant is issued owing to a breach of the said recognizance. The Government, however, are of opinion that a fresh fee may reasonably be waived also for a warrant of the latter kind, and accordingly direct that the following clause be inserted after the word "unexecuted" in the last but one line of para 2 of the Order above referred to:—

"Or when it has been executed by enlarging the accused person on his bond and such accused person fails to appear in accordance therewith."

Para 2 of the Order revised as above will read as follows:—

* * * *

"2. Warrants issued by Magistrates in the Madras Presidency or Coorg under Act XIII of 1859, *other than under Section 2 of that Act*, must, as heretofore, be accompanied by a fee of Rs. 3 for each person whose arrest and delivery is required, for defraying all charges incurred within Mysore. Where any such warrant remains unexecuted, or when it has been executed by enlarging the accused on his bond, and such accused person fails to appear in accordance therewith, a second or succeeding warrant for the arrest of the same person will be executed in Mysore free of charge".

C. SREENIVASIENGAR,
Secy. to Govt., Gen. & Rev. Depts.

To—The Registrar of the Chief Court of Mysore, with reference to his No. 3013—138, dated 23rd November 1898.

All District Magistrates for information, guidance and communication to all Magistrates subordinate to them.

Exd.—C.V.

1898-99

GOVERNMENT OF MYSORE

JUDICIAL

PROCEEDINGS

Dated 12th June 1899

No. 13996-14004
J. 1707

Waiving a fresh fee for the execution in Mysore of a second or succeeding warrant issued against one and the same person by British Courts under Act XIII of 1859.

SBP—17-6-99—400

(13)

(847)

To, The 1st. Assistant
& the Resident
in Mysore.

8.9 — 9 June 99 — 14005 Encl
12 — 1708

Sir,

I am directed
to acknowledge receipt
of your letter No. 5727
355-98
dated the 26th. Oct.
1898 forwarding copy
of certain correspond-
ence received from the
District Mag- re
Pilgrims regarding
an objection stated
to have been raised
by the D. Magte

of impose of the
execution of a second
and non-bailable
warrant issued
against an accd
person under Sect
XIII of 1859 Sept
on payment of a
fresh fee of Rs 3/
and in reply to state
that the impose of
magte action is in
strict accordance
with existing orders
under which a fresh
fee for a new warrant
is waived only when
the original warrant
for which the fee had

been paid remains
unexecuted and not
when the original
warrant had been
executed and the
accused person
enlarged on his
recognizance binding
himself to appear
before the magis-
who issued the
original warrant,
and when the new warrant
is issued owing to a
breach of the said
recognizance. The
Bar however
are of opinion that a
fresh fee may reasonably

be waived also for a warrant
of the later kind and
have accordingly issued
the necessary instructions
in modification of their
order No. 1234-241
of the 16th Nov '86.
A copy of the revised
order is herewith
forwarded for the
information of the
Resident.

Yours
AK
9/6/89.

Chaudhary
9-6-89

Secy.

Pol 344 (48) 1899

J 257

OFFICE OF THE DEWAN
2149
5-9-99.

From The Pt. Asst to Resident.

(14)

To The Dewan of Mysore
~~THE SECY. TO THE GOVT. OF MYSORE,~~
~~GEN. & REV. DEPTS.~~

Dated 4th Septr 1899.

Despatched

Received

General No. 3914
No. 355-98

Enclosure No. 1

Forwarding copy of a letter from the Dist. Magistrate of the Nilgiris re the execution of processes issued under Act XIII of 1859

References to be marked.

J. 7 No. 23 of 1885 & 25 pencup

DMB
6/9/99

proceses issued under Sec. 2 of Act XIII of 1859 by Courts in the Madras Presy must be executed in Mysore free of cost under the late Chief Commrs Proc. of the 12th January 90 which are still in force. Vide G.O. of the 16th Nov 86 in Secl No. 12. The Dist. Magte of the Nilgiris now states that a fee of 3 Rs. on each such warrant has been hitherto collected in his Dist. & forwarded to the Magte concerned in Mysore - & that the practice will now be discontinued.

AK
8/9.

There seems to be some confusion in this matter. Please see a copy of the Proceedings of Govt of Madras Pol Dept. No. 1449 dt 3-9-99

Subd
This may be filed.
SN
6/9/99.

Subd. & Secy.

Warrants or other

(14)

No. 3914 Ens
355-98

FROM

THE FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

5/9/99 Ult
9/9

To

The Dewan of Mysore.

Dated, Bangalore, 4th September 1899.

Sir,

I am directed to forward herewith for the information of the Durbar, copy of a letter No.272/26-VIII-99 dated the 25th ~~instant~~ ultimo, from the District Magistrate of the Nilgiris, relating to the execution of processes issued under Act XIII of 1859.

I have the honor to be

Sir,

Your most obedient servant

Dobbs

First Assistant Resident.

M.

Copy of letter no: 272/26-VIII-99, dated the 25th August 1899, from the District Magistrate of the Nilgiris, Ootacamund to the Resident in Mysore, Bangalore.

I have the honour to acknowledge the receipt of your letter no: 3151/355-98, dated the 20th July 1899, relative to the execution of processes issued under Act XIII of 185 and to state in reply that it has been ascertained that it has been the practice hitherto in this district to collect a fee of three rupees on each warrant issued under Section 2 of the above Act and to forward it to the magistrate having jurisdiction in the Mysore Territory. In consequence however of your letter of the 20th July 1899, I have ordered the discontinuance of the practice.

2 I request that the Mysore Govt may be informed accordingly.

Copy
A Cecil
Registrar